

Message Text

CONFIDENTIAL

PAGE 01 SANTIA 00047 031731Z

43

ACTION SS-25

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R 031658Z JAN 75

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 1610

INFO AMEMBASSY BONN

C O N F I D E N T I A L SANTIAGO 0047

EXDIS

EO 11652: GDS

TAGS: CI, PINT, SHUM

SUBJECT: NEW ACTIVITY IN CLODOMIRO ALMEYDA CASE

1. IN MEETING WITH AMBASSADOR JAN 3 GOC MIN OF ECON COORDINATION RAUL SAEZ DESCRIBED VERY CONFIDENTIALLY STEPS HE IS TAKING LOOKING TOWARD THE POSSIBLE RELEASE FROM DETENTION OF FORMER GOC FONMIN CLODOMIRO ALMEYDA. SAID HE HAD BEEN DISCUSSING WITH THE JUNTA LEGAL PROCEDURE THROUGH WHICH ALMEYDA MIGHT BE FREED, RESTING ON CHILEAN CONSTITUTIONAL PROVISION THAT A MINISTER OF GOVERNMENT COULD NOT BE CHARGED IN THE COURTS WITHOUT REMOVAL OF HIS IMMUNITY BY THE LEGISLATIVE POWER. JUNTA WHICH EXERCISES SUCH POWER NOT HAVING GIVEN SUCH APPROVAL, COURTS COULD DECLARE THEMSELVES UNABLE TO HEAR CASE AGAINST ALMEYDA. SAEZ EXPECTED A JUNTA DECISION SHORTLY. (COMMENT: SEE SANTIAGO 6216 AND 6504. TRIAL COURT HAS RULED IN ALMEYDA'S FAVOR ON THIS POINT, BUT GOC APPEALED TO SUPREME COURT, WHICH HAS NOT YET RULED. SAEZ PROCEDURE PRESUMABLY WOULD REQUIRE GOC TO FIND SOME PRETEXT FOR DROPPING ITS APPEAL.)

2. SAEZ IS PARTICULARLY INTERESTED IN ALMEYDA RELEASE BECAUSE ALMEYDA SIGNED ECONOMIC AGREEMENT WITH FRG IN JULY 1973, AND OPPONENTS OF AID TO CHILE IN GERMAN GOVT ARE CITING ALMEYDA'S INCARCERATION AS GROUND FOR HOLDING UP ON GERMAN ECONOMIC ASSISTANCE. SAEZ WILL BE RETURNING TO FRG IN LATE JANUARY AND HOPES TO MEET WITH SCHACHT AND MANY OTHER OFFICIALS. POPPER

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NNN

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